

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CUMBERLAND VALLEY)	
ELECTRIC, INC. FOR AN ADJUSTMENT OF)	CASE NO.
RATES)	2005-00187

O R D E R

On July 22, 2005, Cumberland Valley Electric, Inc. ("Cumberland Valley") submitted an application to the Commission requesting authority to adjust its rates. The application failed to meet certain filing requirements and was rejected for filing, pursuant to 807 KAR 5:001, Section 2(2), by letter dated July 26, 2005. In response to the rejection notice, Cumberland Valley submitted additional information on August 5, 2005.

Based on a review of the additional information supplied by Cumberland Valley, the Commission finds that the deficiencies noted in our July 26, 2005 letter have been cured, and that Cumberland Valley's application should be considered filed as of August 5, 2005.

Cumberland Valley originally proposed that its rates become effective on September 1, 2005 and it did not revise the proposed effective date when it filed the additional information on August 5, 2005. Pursuant to KRS 278.180(1), no change can be made in any rate by a utility except upon 30 days' notice to the Commission. Therefore, the earliest date on which Cumberland Valley's proposed rates can lawfully become effective is September 4, 2005.

Based on a review of Cumberland Valley's rate application, the Commission finds that an investigation will be necessary to determine the reasonableness of the proposed

rates and that the investigation cannot be completed by September 4, 2005. Therefore, pursuant to KRS 278.190(2), the Commission will suspend the effective date of the proposed rates for 5 months.

IT IS THEREFORE ORDERED that:

1. Cumberland Valley's application is considered filed as of August 5, 2005.
2. Pursuant to KRS 278.190(2), Cumberland Valley's proposed rates are suspended for 5 months from September 4, 2005 up to and including until February 3, 2006.
3. The procedural schedule set forth in Appendix A, which is attached hereto and incorporated herein, shall be followed.
4. All requests for information and responses thereto shall be appropriately indexed. Any request for information by letter from the Commission Staff shall be responded to as if set forth in a Commission Order. All responses shall include the name of the witness who will be responsible for responding to the questions related to the information provided, with copies to all parties of record and 7 copies to the Commission.
5. Any party filing testimony shall file an original and 10 copies.
6. Cumberland Valley shall give notice of any hearing in accordance with the provisions set out in 807 KAR 5:011, Section 8(5). At the time publication is requested, Cumberland Valley shall forward a duplicate of the notice and request to the Commission.
7. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

8. The parties to this proceeding are hereby put on notice that the Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of compelling reasons.

9. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

Done at Frankfort, Kentucky, this 19th day of August, 2005.

By the Commission

ATTEST:


Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2005-00187 DATED August 19, 2005

All initial requests for information to Cumberland Valley
shall be filed no later than 09/02/05

Cumberland Valley shall file responses to initial requests
for information no later than 09/16/05

All supplemental requests for information to
Cumberland Valley shall be filed no later than 09/30/05

Cumberland Valley shall file responses to supplemental
requests for information no later than 10/14/05

Intervenor testimony, if any, in verified prepared form
shall be filed no later than 10/28/05

All requests for information to Intervenors shall be
filed no later than 11/14/05

Intervenors shall file responses to requests for
information no later than 11/30/05

Last day for Cumberland Valley to publish notice of hearing To Be Scheduled

Public Hearing is to begin at 9:00 a.m., Eastern
Standard Time, in Hearing Room 1 of the Commission's
offices at 211 Sower Boulevard, Frankfort, Kentucky,
for the purpose of cross-examination of witnesses of
Cumberland Valley and Intervenors To Be Scheduled

Briefs, if any, shall be filed by To Be Scheduled